

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**IN RE: BIOZORB DEVICE PRODUCTS
LIABILITY LITIGATION**

This Document Relates to: Plaintiff Beth Deuel in Case No. 1:23-cv-10579-ADB; Plaintiffs Cynthia Kresch and Kimberly Taylor in Case No. 1:23-cv-10260; and Plaintiff Pamela Gibson in Case No. 1:23-cv-10599-ADB.

Case No. 1:22-cv-11895-ADB

**DECLARATION OF JOCELYN A. WIESNER IN SUPPORT OF HOLOGIC, INC.'S
MOTION TO EXCLUDE OPINIONS OF PLAINTIFFS' EXPERT DR. GUY JONES**

I, Jocelyn A. Wiesner, hereby declare as follows:

1. I am an attorney at law duly admitted to practice in the District of Columbia and New York. I am an attorney with the law firm Arnold & Porter Kaye Scholer LLP and counsel of record for Hologic, Inc. ("Hologic"). I submit this declaration in support of Hologic's Motion to Exclude Opinions of Plaintiffs' Expert Dr. Guy Jones. The facts set forth herein are of my own personal knowledge and review of the relevant material, and if called to testify, I could and would testify competently thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of the Rule 26(a)(2) Expert Report of Guy Jones, M.D. dated March 24, 2025.

3. Attached hereto as **Exhibit B** is a true and correct copy of the May 5, 2025 deposition of Dr. Guy Jones.

4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts of the May 15, 2024 deposition of Kimberly Taylor.

5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts of the April 26, 2024 deposition of Beth Deuel.

6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts of the November 5, 2024 deposition of Dr. Mahmoud El-Tamer.

7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts of the October 8, 2024 deposition of James Gale.

8. Attached hereto as **Exhibit G** is a true and correct copy of excerpts of the September 27, 2024 deposition of Samara Taylor.

9. Attached hereto as **Exhibit H** is a true and correct copy of excerpts of the May 10, 2024 deposition of Dr. Stephen Cahill.

10. Attached hereto as **Exhibit I** is a true and correct copy of BioZorb clearance letters issued by FDA in February 2012 and June 2015 (BioZorb Marker), August 2015 (BioZorb LP Marker), November 2017 (BioZorb Gold), and September 2019 (BioZorb SP).

11. Attached hereto as **Exhibit J** is a true and correct copy of excerpts of the April 28, 2025 Expert Report of Robert D. Gibbons Ph.D.

12. Attached hereto as **Exhibit K** is a true and correct copy of a Safety Communication issued by U.S. Food and Drug Administration (“FDA”) in February 2024.

13. Attached hereto as **Exhibit L** is a true and correct copy of a Class I recall notice issued by FDA in October 2024.

14. Attached hereto as **Exhibit M** is a true and correct copy of a Warning Letter issued by FDA on December 18, 2024.

15. Attached hereto as **Exhibit N** is a true and correct copy of a Hologic Health Risk Assessment dated October 24, 2024.

16. Attached hereto as **Exhibit O** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Taylor_RT_394154_055_000925 – 929.

17. Attached hereto as **Exhibit P** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Taylor_RT_394154_055_000378 – 383.

18. Attached hereto as **Exhibit Q** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Taylor_RT_394154_055_000888 – 892, TAYLOR_RT-00394154-038_000009-13, TAYLOR_RT-00394154-024_000012-17, TAYLOR_RT-00394154-083_000029-34, and TAYLOR_RT-00394154-055_000374-75.

19. Attached hereto as **Exhibit R** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Taylor_RT_394154_055_000156 – 163.

20. Attached hereto as **Exhibit S** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Taylor_RT_394154_055_000148 – 155.

21. Attached hereto as **Exhibit T** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, as produced by Kimberly Taylor at TAYLOR_000030 – 36.

22. Attached hereto as **Exhibit U** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, as produced by Kimberly Taylor at TAYLOR_000004 – 10.

23. Attached hereto as **Exhibit V** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Deuel_RT_394183_003_001070 – 1071.

24. Attached hereto as **Exhibit W** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Deuel_RT_394183_003_001013 – 1014.

25. Attached hereto as **Exhibit X** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Deuel_RT_394183_003_000884 – 888.

26. Attached hereto as **Exhibit Y** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Deuel_RT_394183_016_000023.

27. Attached hereto as **Exhibit Z** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Deuel_RT_394183_016_000021.

28. Attached hereto as **Exhibit AA** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Deuel_RT_394183_003_000133 – 135.

29. Attached hereto as **Exhibit BB** is a true and correct copy of patient records for Plaintiff Kimberly Taylor, produced at Deuel_RT_394183_003_000183 – 186.

I declare under penalty of perjury under the laws of the Commonwealth of Massachusetts and the United States of America that the foregoing is true and correct.

Executed this 6th day of June, 2025, in Washington, DC.

/s/ Jocelyn A. Wiesner

ARNOLD & PORTER KAYE SCHOLER LLP
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF (NEF) and paper copies will be sent to those indicated as non-registered participants on June 6, 2025.

/s/ Pietro A. Conte
Pietro A. Conte